



R06-14-R-006

FY14 ARC Proposal
Electronic submission

January 16, 2014

US Environmental Protection Agency, Region VI
Ms. Amber Perry, EPA Region VI Project Officer
1445 Ross Avenue, Suite 1200 (6SF-VB)
Dallas, Texas 75202-2733
Phone: (214) 665-7598
E-mail: perry.amber@epa.gov

Environmental Management Support, Inc.
Attn: Mr. Don West
8601 Georgia Avenue, Suite 500
Silver Spring, Maryland 20910
Phone: (301) 589-5318

Dear Ms. Perry:

The City of Dallas is pleased to submit the enclosed application requesting \$1 million in Brownfields Revolving Loan Fund (RLF) grant funding to implement a program that will allow for the redevelopment of brownfields into community gardens.

The City recognizes that brownfield redevelopment along with sustainable development is essential to the economic vitality of Dallas and these funds will bolster the City's sustainable development initiatives. The redevelopment of brownfields into community gardens will catalyze community engagement. Clean-up of a brownfield site will, by design, address the health and safety considerations of brownfields, reducing the physical threats to human health and well-being.

This program targets all 1.2 million residents of Dallas as beneficiaries of this effort as brownfields are not limited to one specific area within the city. This program will provide community organizations with subgrants to clean-up, construct, and operate a community garden. Grant funds will be allocated for subgrants, training seminars, equipment, and outreach efforts to raise awareness among the community on how redevelopment of Brownfield sites complement overall community revitalization and reinvestment strategy.

As requested, applicant information is as follows:

a. Applicant Identification: City of Dallas, 1500 Marilla Street 4EN, Dallas, Texas 75201

b. DUNS Numbers: 196616478

c. Funding Requested:

i) Revolving Loan Fund Grant; ii) Federal Funds Requested: \$ 1,000,000; iii) Contamination: Hazardous Substances

d. Location: City of Dallas, Dallas County, Texas

e. Project Contacts

Project Director: Kevin Lefebvre

Phone: 214-671-8150 Fax: 214-670-0134

kevin.lefebvre@dallascityhall.com

Office of Environmental Quality

1500 Marilla Street, 7AN

Dallas, Texas 75201

Chief Executive/Highest Ranked Officer:

A.C. Gonzalez, Interim City Manager

Phone: 214-670-3297 Fax: 214-670-

ac.gonzalez@dallascityhall.com

1500 Marilla Street, 4EN

Dallas, Texas 75201

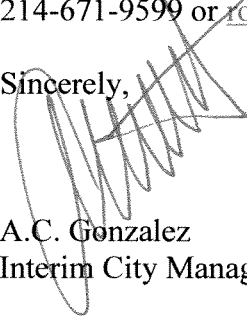
g. Date Submitted: January 22, 2014

h. Project Period: October 1, 2014 to September 30, 2019

i. Population: 1,277,082 based on the 2008 Census American Community Survey estimate

We appreciate the opportunity to seek funding under this program, and look forward to your response. In the interim, should you require any further information, or have additional questions, please do not hesitate to contact Rosa Fleming, Fund Development Manager III, at 214-671-9599 or rosa.fleming@dallascityhall.com

Sincerely,


A.C. Gonzalez
Interim City Manager

Community Need

The City of Dallas respectfully submits this application requesting \$1 million from the FY14 Brownfields Revolving Loan Fund (RLF) Grant to support the clean-up of brownfield sites through the placement of community gardens.

For the intents of this application, the City is targeting all 1.24 million residents of Dallas as beneficiaries of this effort as brownfields are not limited to specific areas within the city. The brownfields we intend to target for clean-up with the revolving loan fund will be located throughout the city; these sites are impacted by varying degrees of pollution. We will use information from other City programs, initiatives, grants and external sources to identify brownfields in our communities that are suitable for redevelopment under this program.

Targeted Community and Brownfields

According to the United States Census Bureau, the City of Dallas has a population of 1.24 million people and encompasses 385 acres along the Trinity River in north, central Texas. Dallas makes up one-fifth of the much larger urbanized area known as the Dallas–Fort Worth metropolitan area, in which one quarter of all Texans live. It is the 9th largest city in the United States. Half the population (50.7%) is listed as White (28.8% non-Hispanic white), 25.0% was Black or African American, 0.7% American Indian and Alaska Native, 2.9% Asian, 2.6% from two or more races. 42.4% of the total population was of Hispanic or Latino origin (they may be of any race). Though considered a prosperous region, the median household income in Dallas is \$42,436, 8% below the state median of \$51,563, and trails the U.S. median of 53,046.

Historically, the City, established in 1841, grew in response to variables of roadways, industry, culture and residential settlement without much planning until the 1930's. The current Council-Manager structure of government is comprised of 14 districts. Dallas' economy is primarily based on banking, commerce, telecommunications, computer technology, energy, healthcare and medical research, transportation and logistics. Dallas is home to the third largest concentration of Fortune 500 companies in the nation (Fortune 500, May 2010).

Though the City of Dallas intends to receive competitive proposals from prospective sites, the most likely neighborhoods to be impacted fall within the *Grow South Initiative*. This is a focused effort by the City to spur redevelopment in the sectors that exhibit the highest levels of blight, poverty and substandard housing.

Brownfields exist in almost every district within the City. However, geographic concentrations occur in pockets within the city where there have been smelting plants, recycling centers, tire dumping, and trash dump sites that occur in and along creek beds and vacant lots. The Southern Sector, West Dallas and pockets in the Northeast and North Central have more brownfields than other districts. Oftentimes, these sites are in or near areas where residential density tends to be greatest and the median income lowest.

In the 1990s through to 2006, the City identified 16 brownfield sites, developing assessments, conducting cleanups and re-developing these areas. The City of Dallas has accomplished quite a bit under its brownfields program. Approximately 1244 acres of brownfields have been cleaned up and redeveloped \$109 million in private investments and \$1.9 million in federal funds have been raised and more than 1700 jobs have been created. The redevelopment program has led to initiatives such as:

- The construction of multifamily residential and mixed- use projects
- The development of 26.4-acre property by American Pallet Recyclers in an economically stressed area maintaining 60 jobs and creating an additional 30 job opportunities
- The development of an occupational training institute whose purpose will be to offer residents assistance with developing job skills and obtaining employment
- Securing more than \$1.6 million in Economic Development Administration and Community Development Block Grant funding (From the May 8-14, 2009 Dallas Business Journal)

Anticipation of the EPA RLF application has allowed the City an opportunity to connect with community groups in a significant way. Discussions in preparation for the 2014 submittal has provided a higher level of commitment and varied approaches to resolving brownfields within neighborhoods.

	Targeted Community	City of Dallas	Texas	National
Population:	TBD	1,241,162	2,6448,193	308,745,538
Unemployment:	TBD	6.5%	6.2%	7.2%
Poverty Rate:	TBD	23.6%	17.4%	15.1%
Percent Minority:	TBD	71.2%	55.5%	26.7%
Median Household Income:	TBD	\$42,436	\$51,563	\$53,046
Source: 2012 American Community Survey Data Release http://www.census.gov/acs/www/data_documentation/2012_release/				

Impacts on Targeted Community

While the negative impacts of a brownfield on the immediate surroundings are varied and include health and safety considerations, social and economic impediments, and environmental concerns, Chilton, Schwarz, and Godwin note in their report to the EPA *Verifying the Social, Environmental, and Economic Promise of Brownfield Programs, 2009* that “the [positive] impacts of brownfield redevelopment have not yet created a statistically significant improvement” within targeted communities because “improving the overall quality of life in a neighborhood takes substantial time.”

In Dallas, brownfield sites range from abandoned structures to illegal dumping sites that contain hazardous contaminants. Some areas of the city face economic obstacles that slow redevelopment and result in abandonment or disinvestment. Other areas become functionally obsolete as former industrial facilities are closed, no longer needed in an emerging service based economy. In these instances, **the broken-window theory, presented by Wilson and Kelling in *The Atlantic Monthly*, March 1982**, takes over: “untended property becomes fair game for people out for fun or plunder, and even for people who ordinarily would not dream of doing such things and who probably consider themselves law-abiding.” Wilson and Kelling propose that the breakdown of community controls soon follows – community pride declines and property owners who once cared for their property and watched each other's children and the neighborhood leave. Eventually, the community loses cohesion.

To rebuild community cohesion, the City of Dallas proposes the redevelopment of brownfields into community gardens that will catalyze community engagement. Clean-up of a brownfield site will, by design, address the health and safety considerations of brownfields, reducing the physical threats to human health and well being. Additionally, brownfield clean-up addresses the environmental concerns by mitigating pollution and restoring the surroundings. However, no amount of clean-up can reverse the social impediments caused by the loss of community cohesion. The construction of a community garden on a cleaned brownfield site requires community involvement to make the garden a success. As part of the loan criteria, the City will develop ranking criteria that ensures legitimate efforts are brought to bear at a location to ensure its success including the evaluation of its impact on addressing food deserts which are often associated with the same economic factors that contribute to the decline that creates brownfields.

Financial Need

The areas in the City that have been blighted and under-developed are also perceived to contain the greatest concentrations of brownfields. The communities know their needs; City Hall knows their needs; but the infusion of capital to address the blight and engage the community is missing.

The development of community gardens will begin the restoration process for these communities at the grassroots level by reversing the “broken window theory.” A garden located where there was once a blighted property empowers the community, restores cohesion, and makes the community more attractive for further redevelopment.

With redevelopment comes the opportunity for gainful employment as businesses move into previously undesirable locations offering those in the area economic opportunities. According to the City’s Office of Economic Development’s Workforce Fact Sheet, Dallas had unemployment rates at 7.3% in 2012 compared to an overall unemployment rate of 6.7% in the Dallas – Fort Worth area. Unemployment in the Council districts with the perceived greatest concentration of brownfields (Districts 1, 3, 4, 5, 6, 7, and 8) range between 7.9% and 10.0%.

Real property valuations fluctuate between \$1.01 billion to \$2.31 billion in the Council district's with the perceived greatest concentration of brownfields (Districts 1, 3, 4, 5, 6, 7, and 8). The number of vacant properties in these areas is substantially greater than properties in other areas of the city. These districts, which make up 63.75% or 224 of the city's 351 square miles together, only have a combined property valuation of \$10.71 billion. For comparison, the two districts with highest valuations in Dallas have \$13.9 billion and \$14.24 billion each.

Median household incomes in the districts with the perceived greatest concentration of brownfields range from \$4,565 to \$20,292 per year compared with the overall median household income of \$42,436 for Dallas. In addition, nine percent of the population in rental housing and another 5% in owner-occupied housing pay half or more of their income toward their housing costs (total of 14%), leaving few resources toward healthy food choices.

Finally, between 2009 and 2011, personal income growth in Dallas remained negative. In 2009, while the nation faced a 4.8% reduction in income, Dallas experienced a 2.6% reduction. In 2010, when the US returned to positive growth of income at 3.8%, Dallas still struggled to recover and faced a drop of 1.0%. Again in 2011, the US showed strong growth at 5.1% while Dallas remained negative at 0.4%. These trends added additional financial stress to already hard hit areas.

RLF Program Description and Feasibility of Success

Program Description

The City of Dallas' Office of Environmental Quality has a history of working with community gardens and has finalized the Community Garden Ordinance to guide neighborhood efforts toward successful enterprises. OEQ proposes to develop a subgrant/loan program that will mirror the RLF grant application in order to select eligible subgrantees that would, in turn, receive RLF funds to clean-up brownfield sites and establish community gardens on those sites.

The OEQ will work through the City's Procurement Department to develop RFQs and solicit responses from qualified community groups. The RFQs will follow existing procedures outlined in the Administrative Directive 4-5 (a copy of the directive will be made available upon request). The City of Dallas Office of Environmental Quality will oversee the development of the subgrant application and scoring values with guidance from the EPA and input from community partners and stakeholders.

The subgrants will follow the maximum allowable amount under the EPA's guidelines in issuing loans to applicants by disbursing all of the \$450,000 eligible for subgranting. The remaining \$450,000 will be budgeted according to the table below:

OEQ Costs	Amount	Purpose
Assessments	\$200,000	To conduct property assessments, verify cleanup closure, "how-to" seminars
Hybrid-fuel truck and	\$75,000	To move materials from garden to garden and support

enclosed trailer		program-focused outreach at schools and other functions to educated the public on brownfields, anti-littering campaigns, and gardens
Garden equipment	\$25,000	Tiller, shovels, rakes, hoes, chainsaws, gloves, eyewear, ear wear, and respiratory protection
Print & electronic materials	\$50,000	For the development and distribution of educational materials throughout the community
Media buys	\$50,000	To educate the public about the community garden subgrant program created by the RLF grant and to report progress once underway
Webpage design	\$50,000	For webpage design and maintenance to promote the program.

Subgrantees and/or projects will be chosen through a robust program, that the City of Dallas is currently developing, upon reward to bring together non-conventional ideas to make community gardens under this program a successful means to mitigate brownfields. Preliminary application criteria will need to be developed further by City staff to ensure every council district equally benefits from this program. Some elements of these criteria are listed further below.

Recipients of the subgrants will be expected to meet minimum criteria in order to be ranked for selection. Subgrants may be awarded at levels above or below requested amounts based on the merits of the proposal. The City may, at its discretion, offer the subgrantee the opportunity to justify its request for a higher amount on a case by case basis if an amount other than requested is awarded. The City will impanel a group to score the proposals according to City policy and ethics requirements. The panel will conduct its affairs in accordance with all applicable City rules and applicable EPA brownfield grant guidelines.

The City, as recipient of the RLF, must demonstrate “sufficient progress in implementing a cooperative agreement” within 2 years from the date of the award. As such, the subgrant process will have a limited application window in order to meet this obligation.

Applicants will be expected to demonstrate the availability of the property for clean-up and community garden placement for the term of the RLF grant. Applications will be scored based on what is identified to happen to the garden once the grant has closed; those with models that can remain in place will rank higher than those that must be removed immediately.

The applicant will be the property owner and the corresponding community group representing the garden. The property owner must understand the obligations of the RLF, and by extension the subgrant, and the consequences, including forfeiture of the land, should the applicant fail to meet those obligations.

Before awarding of any subgrant, applicants will develop and present a site layout of the community garden at the property for approval by City staff in accordance with existing code.

Before any construction of a community garden can begin, subgrant recipient shall ensure the adequacy of each cleanup in protecting human health and the environment. Recipients shall ensure that the successful completion of the clean-up is properly documented. This must be done through a final report or letter from a qualified environmental professional. The City will verify the closure of the brownfield with the input of the US EPA. This documentation must be included as part of the administrative record.

Clean-ups must comply with either all applicable general industry standards (29 CFR part 1910) or all applicable Construction standards (29 CFR part 1926). In addition, if a site is determined to be a "hazardous waste site," that site must comply with the Hazardous Waste Operations and Emergency Response (HAZWOPER) standard 29 CFR part 1910.120.

Proposals that identify brownfields for redevelopment with a community garden within established food deserts will rank higher than those outside of food deserts. Each proposal must include outreach and education campaigns. Proposals that commit to working with multiple groups will score higher than those that commit to only one group. Additional points will be awarded to proposals that commit to teaching nutrition and healthy cooking. Points will be awarded to proposals that partner with other organizations to offer training for green-collar jobs. Proposals that identify local hiring practices, local material procurement, and diversity hiring will all be awarded points. Other activities will be considered as City staff develops the ranking criteria with stakeholders.

Subgrant recipients must report regularly on progress during both the clean-up and the community garden construction and operation phase. Subgrantees will also report programmatic (outreach and education) activities throughout the duration of the grant. Scoring will be assigned within these categories:

- Description of Community Need
- Project Description
- Community Participation (with bonus points in local materials procurement & hiring)
- Project Measures (Outputs and Outcomes)
- Budget
- Sustainability Plan

The City intends to market this program through multiple channels. Meetings with stakeholders and potential applicants to gauge their interest have already been held and based on those conversations; the City of Dallas has proceeded to apply for this grant.

All messages will be developed in English and Spanish. A planned media buy of \$50,000 will be used to place billboards, and run radio and television spots to announce the program and provide contact information to the community. There is also the planned website development of \$50,000; this will be used to spread the word electronically and through social media. Also, the City's Public Information Office will provide press releases, along with designing graphics and informational pieces. These messages will also be printed and distributed across the City's

libraries and recreation centers. Traditional local media and publications will be utilized to announce the brownfields to community gardens grant program.

Task Description and Budget Table

There will be on-going discussions with stakeholders and the EPA over the course of the application process. City staff will work with other City departments to utilize previously documented brownfield locations to utilize the information already compiled under previous assessment grants. By adding a GIS layer to our existing garden database, the City of Dallas will be able to identify brownfields and the food deserts which could potentially be a site for a community garden. We will develop and finalize the subgrant with EPA guidance and stakeholder input to ensure reports required of subgrantees are reasonable and practicable.

Over the course of the RLF, we will report back to the EPA at annual intervals on the progress made by subgrantees including the total acreage of brownfields being redeveloped with community gardens. We will also report back on the number of direct contacts during outreach and education events recipients of the subgrants have made as well as the number of direct contacts the Office of Environmental Quality makes during outreach and education pertaining to this program.

As outlined in the budget table below, the major tasks for the project are 1) subgrant contract development, which the City will absorb; 2) implementing the RFL process within the community; 3) providing technical assistance to the subgrantees along with monitoring progress, some of which will be cost shared and 4) collecting, evaluating and filing the project reports to the City and to EPA, as a full cost share.

Budget Table

Funding Type	Budget Categories	Program Tasks (\$) [programmatic costs only]				
		Subgrant Contract Development	Subgrant Implementation	Subgrantee Technical Assistance	Reporting and Project Evaluation	Total
Hazardous Substance Funds (HS)	Personnel	\$ 40,000	\$ 46,000	\$ 35,000	\$ 10,000	\$ 131,000
	Fringe Benefits	\$ 6,800	\$ 7,820	\$ 5,950	\$ 1,700	\$ 22,270
	Travel					
	Equipment			\$ 100,000		\$ 100,000
	Supplies			\$ 50,000	\$ 3,000	\$ 53,000
	Contractual		\$ 300,000	\$ 100,000		\$ 400,000
	Loans					
	Subgrants		\$450,000			\$ 450,000
	Other			\$ 21,865	\$ 21,865	\$ 43,730

	Subtotal:	\$ 46,800	\$ 803,820	\$ 312,815	\$ 36,565	\$ 1,200,000
Federal Funding Subtotal		\$ 46,800	\$ 803,820	\$ 149,3800	\$ -	\$ 1,000,000
Cost Share			\$ -	\$ 163,435	\$ 36,565	\$ 200,000
Total		\$ 46,800	\$ 803,820	\$ 312,815	\$ 36,565	\$ 1,200,000

Ability to Leverage

City departments working collaboratively with information from previous assessment grants will identify brownfield sites that may be ready for redevelopment with a community garden. *Groundwork Dallas* currently partners with the City in the clean-up efforts of illegal tire dumping. They have also agreed to partner on the clean-up and construction of community gardens at brownfield sites. *Groundwork Dallas* is part of the *Groundwork* national system.

The City currently utilizes State of Texas programs, including the Brownfield Site Assessment Program, the Voluntary Cleanup Program, and the Innocent Owner/Operator Program. This partnership will continue with other non-profits in the area to increase the reach of this program and to build in replicability so other communities can duplicate our successes.

Community Engagement and Partnerships

Plan for Involving Targeted Community & Other Stakeholders; and, Communicating Progress

City staff, as previously outlined, has met with stakeholders in this process. The City will continue to hold meetings with stakeholders throughout the development of the subgrant program to ensure understanding and equity among all interested parties.

Through the utilization of social media and *GreenDallas.net*, the City's environmental information website, the City will announce and track the program's progress as it moves into the implementation and monitoring phases.

City staff will regularly visit subgrantee sites to monitor progress and catalog improvements through digital media (pictures and video). The City understands and acknowledges that community garden development will require patience; after all, plants and communities take a while to grow. While following RLF grant timelines, the time between awarding the subgrant and the first growing season will be used to work with stakeholders as they reach out to neighborhoods to engage communities and keep people motivated toward re-strengthening their community.

This proposal is designed around engagement of advocacy, civic, and citizen groups to work within the communities who need assistance. Through the clean-up of pollutants, we eliminate the health and environmental risks. Through the establishment of community gardens, we bring the community together and reap the added benefit of providing healthy food options to those in need.

Partnerships with Government Agencies

The City will continue to work with the EPA Region 6 Office staff to bring awareness about environmental hazards like lead, mercury, and other contaminants to these communities to not only protect them from hazards at other brownfield sites but to educate them on how to address these threats when they see them including how to properly dispose of them. Along with Dallas County Health and Human Services, the City will work with County Commissioners on promoting healthy food choices and addressing illegal dumping.

Partnerships with Community Organizations

The City also works with multiple civic groups, including Los Barrios Unidos, Dallas Housing Authority, the Boy Scouts and Girl Scouts of America, Big Brothers and Sisters, and others to build relationships of trust to foster the ties necessary to bring the community together again.

We have met with representatives from across the city and will be providing letters of support in our proposal pack that demonstrates community commitment to this effort.

Program Benefits

Health and/or Welfare and Environment

The most tangible realization will be that brownfields across Dallas will be eliminated. By offering subgrants to community organizations and groups, each group will be successful in their efforts to clean-up blighted areas, remove pollutants and dispose of them properly and safely, and to provide a slate on which to reverse the negative trends that have impacted the area around it.

The clean-up is only the beginning. With the excitement of a clean-up, the “untended property” is gone; more eyes will be on the site and those who came out to pitch in will work to restore the community controls and cohesion. This will improve the welfare of the community by uniting them behind a common effort and interest.

The City of Dallas 2013 Community Survey reports 82% of Dallas residents feel Dallas is an excellent or good place to live. In the previously discussed areas of Dallas with the perceived greatest concentration of brownfields (Districts 1, 3, 4, 5, 6, 7, and 8), residents replied that Dallas was an excellent or good place to live 74% to 81% of the time. When asked if their neighborhood was an excellent or good place to live, responses ranged between 50.5% and 67.9%. There is ground to make up.

Environmental Benefits from Infrastructure Reuse/Sustainable Reuse

The City of Dallas has existing ordinances such as the municipal settings designations and the Green Building Ordinance; *Grow South*, the Southern Dallas Economic Development Plan; *forwardDallas!*, the City’s strategic long range land use plan; the City’s draft Sustainability Plan, and Planned Developments, Neighborhood Improvement Programs, and others are all aligned with the redevelopment and use of under-utilized and neglected areas of Dallas.

Existing economic development incentives in place in Dallas include:

- City of Dallas Regional Center
- Economic Development Grants
- Foreign Trade Zones
- Freeport Tax Exemptions
- Historic Tax Incentives
- Job Training
- Municipal Managed Districts
- New Market Tax Credits
- Public Improvement Districts
- Tax Abatements
- Tax Increment Financing

With redevelopment of a brownfield into a community garden, pollutants will be addressed and mitigated. Additionally, illegal dumping activities which are often unchecked on “untended property” should be curbed now that there will be someone tending the property. As a consequence, hazardous materials should no longer be dumped on the property threatening the stormwater conveyance during runoff or groundwater through absorption.

A peripheral benefit of the reuse will come from the civic pride which will be gained. Residents around the area will likely be more proactive in reporting issues to the City for addressing as they now have a greater sense of community. Fallen limbs, damaged infrastructure, broken hydrants and other elements that could threaten the ecosystem may now be addressed by concerned citizens watching out for what is best for the community.

The best example of effort that the City of Dallas has taken is the steps to ensure equitable development is the numerous meetings we have had with stakeholders on multiple occasions at multiple locations throughout the city to capture all perspectives on community gardens. For this effort specifically, we have met with stakeholders on three occasions and met with other City departments on numerous occasions to explore options that will foster and sustain community gardens including this grant opportunity.

The City is aware that community stakeholders have a unique understanding of their neighborhoods. Though City staff are vested in the success of the various projects, it is appropriate that community groups lead their projects. So too, it is important that City staff meet with community groups to help them understand existing City code and aspects that can help build the best possible programs. Meetings with community groups continue to focus on developing projects that yield the utmost benefit using the combined resources of the community and the City.

Economic or non-Economic Benefits

A successful community garden will teach others how to start and operate their own gardens. A garden, if run and managed properly can help reduce a family’s financial burden by providing fresh alternatives bought with sweat and patience.

The City is currently exploring similar programs like Greensgrow in Philadelphia, the Washington-Wheatley Community Garden in Kansas City (MO), Frazer Park Community Garden,

Portland (OR), Treat Commons Community Garden in San Francisco, and Fremont Community Garden in Sacramento to design a list of best practices and considerations to ensure success for the community and the city.

Entrepreneurial spirit can take a novice gardener to a successful co-op owner and generate more jobs within the community. Sales of excess produce can offset costs and earn extra money.

The community around the redeveloped land will also see an economic benefit from greater civic pride and removed detriments to property values. As the community begins to revitalize, other new investments will also begin to revitalize the community which will bring more jobs and more resources to the community. As it stands now, there are very few major grocery store chain outlets in some areas of Dallas which are perceived to have the greatest concentration of brownfields. These are the same areas that have fewer employment opportunities than workers. If we can strengthen the neighborhoods, make them strong again, development will return and bring with it jobs.

To promote local hiring and procurement, ranking criteria for subgrant applications will include additional for those organizations that include local hiring, local material procurement, and diversity hiring as part of their plan for the clean-up and development of the brownfields site into the development of the community garden.

On contractual items associated with Phase I/II, closure confirmation services, and other external contracts for services, City of Dallas procurement rules will be in effect. The City must comply with all local, state and federal procurement laws: State Laws of Texas, Dallas City Charter, Dallas City Code, City Administrative Directives, Business Inclusion and Development policies and procedures.

The City encourages certified M/WBE utilization to the greatest extent feasible on all contracts.

The City has a Local Preference Ordinance for contracts that requires 5% local sourcing on contracts between \$50,000 and \$500,000. Historically, that number has reached 47.66% for goods and services and 75.3% for construction.

Programmatic Capability and Past Performance

Programmatic Capability

The City of Dallas manages approximately \$118,804,701.00 (Federal) and \$4,495,232.00 (State) in grant funding annually. Under the City's Office of Environmental Quality, Frank A. Camp, as Managing Director, is charged with leading the City on environmental compliance, pollution prevention and continual improvement. The Office of Intergovernmental Services is responsible for submitting the Request for Proposal EPA-OSWER-OBLR-13-06 to the EPA.

The City maintains an accounting management system (Advantage) and will monitor expenses charged to the grant. The City of Dallas' financial system, AMS Advantage 3 Financial, is a computerized system operated by multiple departments throughout the City, with primary responsibility resting with the City's Controllers Office and Office of Financial Services. Most of the software applications in use at the City interact with this financial system. It provides processing of essential financial transactions including, purchasing, accounts payable, grant management, fixed assets, and general ledger accounting. The system also ensures compliance with the approved budget. The general ledger closes monthly by the tenth of the following month based on a 13 period process. With a computerized system the transactions are organized, maintained, and summarized in financial reports by fund number, department or unit, and object code.

The Office of Environmental Quality (OEQ) will spearhead the subgrant program and will be charged with:

1. The development of RFQs related to site procurement, assessment and garden development
2. Subgrantee contracting and technical assistance
3. Reporting and evaluation

The OEQ will work with the Intergovernmental Services-Fund Development Unit to submit timely reports, develop monitoring reports and respond to any questions that arise as a result of the project.

Key OEQ staff involved with the project will include:

Kevin W. Lefebvre has been with the City of Dallas for six years and is the Senior Environmental Coordinator over Sustainability, and EMS (Environmental Management System) Training and Outreach. Prior to joining the City, Mr. Lefebvre was an ECO Intern at the U.S. Environmental Protection Agency, Dallas, Texas, in the Enforcement Division and the Superfund Division and the Environment & Development intern at the North Central Texas Council of Governments in Arlington, Texas, where he worked on Transportation Integrated Storm-Water Management (TriSWM).

Mr. Lefebvre earned a Master of Science degree in Environmental Science and Policy in 2010, from Johns Hopkins University, Baltimore, Maryland and his Bachelor of Science Degree in Biology from the University of Texas at Arlington, Arlington, Texas (2006). He holds the following certifications:

- 40 Hour HAZWOPER Certification
- 8 Hour HAZWOPER Recertification
- ISO 14001 Lead Auditor

- DOT
- Registered Environmental Manager
- Certified Safety and Environmental Manager

Dana Cowley has been with the City of Dallas for seven years. As Environmental Coordinator III, she is responsible for coordinating the city-wide environmental training program, conducting outreach and collection events for the City, and managing recycling at City Hall. She interned at the Hornsby Bend Center for Environmental Research in Austin, then, joined the Texas Campaign for the Environment, and later, Advanced Recycling Center's Dallas office where she maintained compliance with environmental regulations for the electronics recycling company.

Altogether, Ms. Cowley has ten years combined experience in environmental site inspection, compliance, training coordination and instruction, waste management, soil/water/vegetation sample collection, conference and workshop planning, and environmental outreach and event coordination. Ms. Cowley earned her B.A. in Geography at the University of Texas at Austin (2002), specializing in Environmental Resource Management. She has a thorough understanding of federal, state and local environmental regulations. Additional qualifications include:

- Hazardous Materials Safety Training (HAZWOPER)
 - 40 Hour Initial Certification (2006)
 - 8 Hour Refresher (2012)
- Department of Transportation (DOT) Hazardous Materials (2009)
- Environmental Management Systems (ISO 14001:2004), Lead Auditor (2008)
- Texas Stream Team Water, Quality Monitor [2008]

Audit Findings

The City of Dallas' Controller's Office is charged with the completion of the annual single auditor. The last completed audit (September 2012), utilizing an independent third-party auditor demonstrated findings that were subsequently remediated. These findings included a vendor-initiated contracting error, and issue with the submission of one report, and an equipment tagging issue. These items were all addressed in 2013, and awarding agencies cleared the findings. The audit can be found at:

http://www.dallascityhall.com/transparency/financial/financial_docs.html.

Past Performance and Accomplishments

The City of Dallas currently has no open Brownfield grants. However, the City of Dallas's Office of Economic Development and Housing/Community Affairs have jointly received several EPA Brownfield Grants, as outlined below:

- Assessment Pilot Grant, October 1995, \$225,000
- Environmental Justice Grant, September 1996, \$25,000

- Brownfields Showcase Community Grant, March 1998/Supplement June 2000, \$500,000 (\$400,000 initial; \$100,000 supplement for program extension)
- Superfund Reuse Pilot Grant, July 2000, \$100,000
- Superfund Innovative Technology Evaluation (SITE) Program demonstration, December 2003 (estimated value \$500,000)
- Assessment Grant for Brownfields, June 2004, \$200,000
- Economic Development Initiative (EDI) Grant, Joppa Rodeo, May 2005, \$72,168

For the most part, these grants were each expended fully, with no significant findings or monitoring issues. All reports were completed timely, with no funds remaining at the time of grant closure. There were no corrective measures required by the grantors. The only exception to the full expenditure component, was the Economic Development Initiative grant from HUD (referenced above), where \$10,000 was left unspent. The project was completed without necessitating this expenditure, and the City did not draw the remaining funds.

In terms of accomplishments, the City staff was able to complete the work outlined below:

Phase I Environmental Site Assessments (ESAs) - 25

1. Wooten Metal (November 1997)
2. Sundown Market (August 1997)
3. River Levee Operations (September 1999)
4. Dress Factory (May 2000)
5. South Side on Lamar – 1319 South Lamar Street (May 2000)
6. South Side on Lamar – 1325 South Lamar Street (May 2000)
7. South Side on Lamar – 1000 Austin Street (May 2000)
8. Fishburn's Cleaners (July 2000)
9. Los Arboles (St. Mary's) (December 2000)
10. Grand Plaza Shopping Center (July 2001)
11. Dallas Police Association – 2104 Jackson Street (September 2001)
12. Dallas Police Association – 1412 East Griffin Street (September 2001)
13. Drew's Place (March 2002)
14. Former Red Coleman building (June 2002)
15. Buckeye Trail (October 2002)
16. 1923 South Akard Street (October 2003)
17. 10501 Shady Trail (December 2003)
18. 1919 South Akard Street (July 2004)
19. 1500 South Industrial Boulevard (September 2004)
20. Alford Refrigerated Warehouse site (June 2005)
21. BAC5, 208 East Wheatland Road (June 2005)
22. 1300 South Lamar Street (November 29, 2005)
23. 2920 North Beckley Avenue (December 23, 2005)
24. 918 Powhattan Street (1300 South Lamar Street Addendum) (April 2006)
25. 1325 South Lamar Street (Boutique Hotel) (final anticipated May 2006)

Phase II ESAs - 6

1. South Side on Lamar – 1319 South Lamar Street (May 2002)
2. Former Red Coleman site – 1226 South Lamar Street (November 2002)
3. Ground Penetrating Radar Study – Grand Plaza Shopping Center (June 2005)
4. Alford Refrigerated Warehouses site (January 2006)
5. 1300 South Lamar Street (April 2006)
6. 2920 North Beckley Street (anticipated May 2006)

EE/CA - 1

1. Fire Station #34 (November 1997)

EPA Targeted Brownfields Assessments (TBAs) - 5

1. Catellus site (January 1996)
2. Larry Johnson Recreation Center (July 1996)
3. West Dallas Training Institute (July 1996)
4. Wooten Metal (September 1996)
5. Magdeline Street site (November 1996)

EPA/USACE Phase I/II ESAs - 2

1. Dallas Police Headquarters EPA/USACE conducted Phase I and Phase II ESAs on the site.
(November 1999/March 2000)

TNRCC/TCEQ BSAs/Monitoring Events – 5/1

1. Cass Street – 1 (August 1999)
2. Los Arboles – 1 (June 2001)
3. Grand Plaza Shopping Center – 3/1
BSA 1 (June 2002)
BSA 2 (August 2002)
Monitoring Event (August 2003)
BSA 3 (May 2004)

Other Factors

The City of Dallas is a recipient and core partner of a HUD-DOT-EPA Partnership for Sustainable Communities and many of the communities that would be considered for funding are bisected by the TOD project addressed under that grant project. The award letter for this grant is attached.

City of Dallas Submission - FY14 Brownfields Revolving Loan Fund Grant
Threshold Documentation

1. Applicant Eligibility

As an urban center, the City of Dallas (the City) has been actively dealing with issues surrounding environmental quality for the past 50 years. The City of Dallas is committed to a clean, safe, and healthy environment. As such, the City exercises, through the *Green Dallas Initiative*, environmental stewardship in its dealings with employees, other governments, citizens, City contractors, business and others in the community for our world today, as well as, for future generations. Caring for the environment is one of our core values, and this is demonstrated by ensuring our activities are in harmony with the natural world around us.

The Office of Environmental Quality is charged with protecting and improving the environment by leading and guiding the City of Dallas in our efforts on environmental compliance, pollution prevention and continual improvement.

The City of Dallas has also been “going green” well before the green movement was in fashion. Dallas has received so many green initiatives and accomplishments over the past two decades that the Regional Director of the U.S. Environmental Protection Agency called Dallas “... a leader among cities ... standing ready to be a model for the rest of the nation.”

2. Description of Jurisdiction

The City of Dallas is located in North Central Texas. The city limits stretch across 585 acres and is bordered by the cities of Addison, Carrollton, De Soto, Duncanville, Garland, Grand Prairie, Irving, Lancaster, Mesquite and Richardson. The brownfield programs benefit all 1.24 million residents of Dallas even though brownfields are not limited to one specific area within the city.

3. Letter from the State or Tribal Environmental Authority

The City of Dallas has received a letter of support the Texas Commission on Environmental Quality for the EPA FY14 Brownfield Revolving Loan Fund Grant application.

4. Oversight Structure and Legal Authority to Manage a Revolving Loan Fund

The City of Dallas will utilize staff time and resources to oversee clean-up in accordance with applicable City, state and federal requirements. The Office of Environmental Quality (OEQ) staff, with Registered Environmental Managers (REM) and Professional Geologists (PG) on staff will work with subgrant recipients and the EPA to verify appropriateness of clean-up plans and to verify closure of brownfields upon completion of clean-up.

Staff will conduct Phase I site assessments, utilizing City, state and federal databases, to verify historic uses. Additionally, funds from the RLF have been set aside to conduct sampling, as needed, before and after clean-up operations.

The City of Dallas Attorney’s Office has provided a positive legal opinion that is attached.

City of Dallas Submission - FY14 Brownfields Revolving Loan Fund Grant
Threshold Documentation

5. Cost Share

Statutory Cost Share – The City of Dallas is requesting \$1 million for the RLF program, and as such, Office of Environmental Quality is able to provide the 20% match of \$200,000.

Technical Assistance	\$ 163,435
Reporting & Evaluation	\$ 36,565
Total	\$ 200,000.

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 17, 2014

A.C. Gonzalez
Interim City Manager
City of Dallas
1500 Marilla Street 4EN
Dallas, TX 75201

Re: City of Dallas Application for a U.S. Environmental Protection Agency Brownfields
Revolving Loan Fund Grant

The Texas Commission on Environmental Quality (TCEQ) is pleased to offer this letter of support for the City of Dallas's application to the U.S. Environmental Protection Agency for a Brownfield Revolving Loan (RLF) Grant. The establishment of a RLF program for conducting cleanup activities on Brownfields properties will significantly benefit the City of Dallas by enhancing the local economy by creating jobs, increasing the tax base, and improving the environment. The redevelopment of brownfields into community gardens or farms will catalyze community engagement and reduce the amounts of physical threats to human health and the communities' well-being.

The TCEQ looks forward to working with the City of Dallas on its Brownfields initiative and supports the grant application. You may contact me at 512-239-2360 or Stephanie.Kirschner@tceq.texas.gov with any questions or if you need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Steph Kirschner".

Stephanie Kirschner, Brownfields Program Manager
VCP-CA Section
Remediation Division

SK

cc: Ms. Karen Peycke, EPA Region 6, Brownfields Section, peycke.karen@epa.gov



January 22, 2014

US Environmental Protection Agency, Region VI
Ms. Amber Perry, EPA Region VI Project Officer
1445 Ross Avenue, Suite 1200 (6SF-VB)
Dallas, Texas 75202-2733
Phone: (214) 665-7598
E-mail: perry.amber@epa.gov

Environmental Management Support, Inc.
Attn: Mr. Don West
8601 Georgia Avenue, Suite 500
Silver Spring, Maryland 20910
Phone: (301) 589-5318

Re: Legal Opinion of the Dallas City Attorney concerning City of Dallas Application for FY14 Brownfields Revolving Loan Fund Grant

Dear Sir:

The undersigned counsel represents the City of Dallas, Texas ("the City"), as counsel in support of the City's application for FY14 Brownfields Revolving Loan Fund Grants given by the United States Environmental Protection Agency ("EPA"). We have reviewed the Small Business Liability Relief and Brownfields Revitalization Act ("Brownfields Law", P.L. 107-118), and EPA-OSWER-OBLR-13-06 and any appendices and updates thereto; and made such other investigations of law, as we have deemed appropriate. I have also reviewed such other laws, documents and records as I have deemed necessary to render this opinion.

Based upon the foregoing, the undersigned is of the opinion that:

The City is in the process of preparing a proposal (the "Proposal") for a Brownfields Revolving Loan Fund Grant ("Grant") pursuant to the *Small Business Liability Relief and Brownfields Revitalization Act, P.L. 107-118* (the "Brownfields Act"). The *FY14 Guidelines for Brownfields Revolving Loan Fund Grants* (the "Guidelines") request an opinion demonstrating: (1) an applicant's legal authority to access and secure sites in the event of an emergency or default of a loan agreement or non-performance under a sub-grant; and, (2) an applicant's legal authority to perform the actions necessary to manage a revolving loan fund.

Under the Guidelines, brownfield sites are defined as "real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant." The Guidelines go on to state that "Brownfield

areas, particularly those in city centers, were contributing to blight and joblessness in surrounding communities. Unknown environmental liabilities were preventing communities, developers, and investors from restoring these properties to productive use and revitalizing impacted neighborhoods.” The Brownfields Act, among other things, provides for a revolving loan fund (“RLF”) that provides funding for a grant recipient to capitalize a revolving loan fund from which to provide loans and subgrants to carry out cleanup activities at brownfields sites. The Proposal is to be the City’s application for such RLF grants.

Specifically, the assistance requested is in the form of a grant for the purpose of establishing a Revolving Loan Fund (RLF), to be used to fund brownfields assessment and related projects. The City would administer the RLF and would provide matching funds.

Legal Opinion

1. City of Dallas’s legal authority to perform the actions necessary to manage a revolving loan fund, i.e., to hold funds, make loans, enter into loan agreements and collect repayments.

Chapter II, Section 1 of the City Charter of the City of Dallas (“Charter”) describes specific powers of the City. While that provision does not specifically address the authority of the City to loan funds or to do other activities involved in the lending of funds, it does state the city has the power “To contract and be contracted with,” (Subsection (5), to appropriate the money of the city for all lawful purposes (Subsection (9)), and “to acquire property within or without its boundaries for any public purpose.” (Subsection (8). In addition, Chapter II, Section 2 of the Charter states “The enumeration of particular powers in the Charter shall not be held or deemed to be exclusive, but in addition to the powers enumerated herein, implied thereby or appropriate to the exercise thereof, the city shall have and may exercise all other powers which under the Constitution and laws of the State of Texas, it would be competent for the Charter specifically to enumerate. The city shall have and exercise all the powers conferred upon cities by what is known as the Home Rule Amendment to the Constitution of the State of Texas and the Enabling Act relative thereto ... and all other laws passed by the legislature of the State of Texas, relating thereto, or which may hereafter be passed by said legislature in relation to such matters.”

The “Home Rule” Amendment referred to in the Charter is found in Article 11, Section 5, of the Constitution of the State of Texas. It provides as follows:

Cities having more than five thousand (5000) inhabitants may, by a majority vote of the qualified voters of said city, at an election held for that purpose, adopt or amend their charters. If the number of inhabitants of cities that have adopted or amended their charters under this section is reduced to five thousand (5000) or fewer, the cities still may amend their charters by a majority vote of the qualified voters of said city at an election

held for that purpose. The adoption or amendment of charters is subject to such limitations as may be prescribed by the Legislature and no charter or any ordinance passed under said charter shall contain any provision inconsistent with the Constitution of the State, or of the general laws enacted by the Legislature of this State. Said cities may levy, assess and collect such taxes as may be authorized by law or by their charters; but no tax for any purpose shall ever be lawful for any one year, which shall exceed two and one-half per cent. of the taxable property of such city, and no debt shall ever be created by any city, unless at the same time provision be made to assess and collect annually a sufficient sum to pay the interest thereon and creating a sinking fund of at least two per cent. thereon. Furthermore, no city charter shall be altered, amended or repealed oftener than every two years. (Amended Aug. 3, 1909, Nov. 5, 1912, and Nov. 5, 1991.)

In essence, the powers of cities within the Home Rule Amendment embrace all those not prohibited by statute or by the Texas Constitution. *City of Brownsville v. Public Utility Commission of Texas*, 616 S.W.2d 402 (Tex. Civ. App. 1981, ref. n.r.e.).

In addition, Article 3, Section 52-a of the Texas Constitution, provides, in pertinent part:

Notwithstanding any other provision of this constitution, the legislature may provide for the creation of programs and the making of loans and grants of public money, other than money otherwise dedicated by this constitution to use for a different purpose, for the public purposes of development and diversification of the economy of the state, the elimination of unemployment or underemployment in the state, ... or the development or expansion of transportation or commerce in the state. . . . A program created or a loan or grant made as provided by this section that is not secured by a pledge of ad valorem taxes or financed by the issuance of any bonds or other obligations payable from ad valorem taxes of the political subdivision does not constitute or create a debt for the purpose of any provision of this constitution. (Added Nov. 3, 1987; amended Nov. 8, 2005.)

Pursuant to this provision, the Texas legislature enacted Chapter 380 of the Local Government Code. That Chapter provides, in pertinent part, as follows:

§ 380.001. ECONOMIC DEVELOPMENT PROGRAMS. (a) The governing body of a municipality may establish and provide for the administration of one or more programs, including programs for making loans and grants of public money and providing personnel and services of the municipality, to promote state or local economic development and to stimulate business and commercial activity in the municipality. ...

(b) The governing body may:

- (1) Administer a program by the use of municipal personnel;
- (2) Contract with the federal government, the state, a political subdivision of the state, a nonprofit organization, or any other entity for the administration of a program; and
- (3) Accept contributions, gifts, or other resources to develop and administer a program.

§ 380.003. APPLICATION FOR MATCHING FUNDS FROM FEDERAL GOVERNMENT. A municipality may, as an agency of the state, provide matching funds for a federal program that requires local matching funds from a state agency to the extent state agencies that are eligible decline to participate or do not fully participate in the program.

Pursuant to Chapter 380, the Attorney General of Texas recently opined that “Texas Constitution article III, section 52-a and Local Government Code section 380.001 authorize a city to make a loan for a housing project if the project will promote economic development within the meaning of these provisions.” Opinion GA-529 (March 9, 2007). In the same opinion it also noted “Like article III, section 52-a, section 380.001 broadly permits a city's governing body to make “loans and grants of public money” for purposes that will promote economic development. *See* Tex. Loc. Gov't Code Ann. § 380.001(a) (Vernon 2005). More importantly, it further opined that “The statute does not, by its terms, limit loans and grants of public money to particular purposes or projects, but only requires that they promote economic development. *See id.*; *see also* Tex. Att'y Gen. Op. No. DM-185 (1992) at 5 (“The legislature did not expressly instruct what such [an economic development] program would be.”) and cited further *Cf.* Tex. Att'y Gen. Op. No. JC-0362 (2001) at 5 (“the determination of whether a particular project will promote the economic development purposes of [the Development Corporation Act of 1979] is, in general, a question of fact within the discretion of the board of directors of the development corporation in the first instance”).

Further, the statute provides that such loans may be made pursuant to “programs for making loans... of public money and providing personnel and services of the municipality,” that cities may “contract with the federal government ... for the administration of a program,” and that cities may “accept contributions, gifts or other resources to develop and administer [such] a program.”

In the instant situation, the Guidelines specifically state the purpose of the Grant is to provide funding for a grant recipient to capitalize a revolving loan fund from which to provide loans and subgrants to carry out cleanup activities at brownfields sites which it is the opinion of this office can be deemed for the purpose of promoting economic development. Accordingly, the city does have the authority, conferred by statute, to perform the actions necessary to manage a revolving loan fund, i.e., to hold funds, make loans, enter into loan agreements and collect repayments in these circumstances.

2. City of Dallas' legal authority to access and secure sites in the event of an emergency or default of a loan agreement or non-performance under a sub-grant.

Reference is made to the hereinabove cited authority of the City to contract and make loans for the purpose of economic development. In exercise of that authority the City is authorized and does assert and negotiate terms in a loan agreement to safeguard its public interest in the event of emergency, default or non-performance by a sub-grantee by providing for various remedies including but not limited to forfeiture, re-entry, repossession rights as may be deemed necessary. The City is well accustomed in the normal course of its participation of other similar federal and state government grant programs to condition and assert applicable contract provisions in its loan program documents to allow the City to access and secure the benefitted real estate property in events of emergency, default of a loan agreement or non-performance under a sub-grant.

The City has the general authority of home-rule municipalities to adopt rules for health of residents. Texas state law gives home-rule municipalities like the City of Dallas the police power to "(1) adopt rules to protect the health of persons in the municipality, including quarantine rules to protect the residents against communicable disease; and, (2) provide for the establishment of quarantine stations, emergency hospitals, and other hospitals." Texas Health & Safety Code sec. 122.006. And, under Texas Gov't Code sec. 418.108, a mayor is empowered after "consider[] the action necessary for the preservation of life or other disaster mitigation, response, or recovery" Id. sec. 418.108(f). to declare a local state of disaster and order evacuation of the city or an area in the city. This declaration of disaster lasts for only up to seven days without approval by the governing body of the political subdivision. Id. sec. 418.108(b). Further, under Chapter 19 Health and Sanitation 19-2, the City has empowered the City Council with the power in their discretion, by a resolution passed by a majority vote to require:

- (a) The filling up, drainage and regulating of any lots, grounds or yards, or any other places in the city, which, in their opinion, shall be unwholesome or have stagnant water therein or thereon, or shall from any other cause be in such condition as to be liable to produce disease.
- (b) All premises to be inspected, and to impose fines on the owners of houses under which stagnant water may be found or upon whose premises such stagnant water may be found.

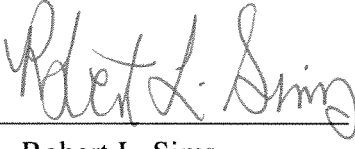
(c) The cleaning of any house, building, establishment, lot, yard or grounds from filth, carrion or impure or unwholesome matter of any kind.

(d) The owner of any lots within the city to keep same free from rubbish, brush and any objectionable, unsightly and unsanitary matter of whatever nature. (Code 1941, Art. 86-44)

Accordingly, the city does have the authority, conferred by statute, to access and secure sites in the event of an emergency or default of a loan agreement or non-performance under a sub-grant.

This opinion is based upon the laws of the State of Texas and the Federal laws of the United States. This opinion is rendered solely in connection with the City' proposal application submitted in response to EPA-OSWER-OBLR-13-06 entitled "*FY14 Guidelines for Brownfields revolving Loan Fund Grants*" Accordingly, it may be relied upon only by the EPA and may not be relied upon by any other party for any other purpose.

Warren M. S. Ernst.
City Attorney
City of Dallas, Texas

By: 
Robert L. Sims
Assistant City Attorney

LETTERS OF SUPPORT FROM COMMUNITY-BASED ORGANIZATIONS

REVITALIZE SOUTH DALLAS COALITION (RSDC)

January 16, 2014

Kevin Lefebvre, M.S., REM, CSEM
Senior Environmental Coordinator, EMS and Sustainability
City of Dallas • Office of Environmental Quality
1500 Marilla Street, 7AN
Dallas, Texas 75201

RE: Community Support for City of Dallas' Application for 2014 EPA Brownfield Grant(s)

Revitalize South Dallas Coalition (RSDC) is a Dallas, Texas, non-profit organization operating as a program of **Dallas Leadership Foundation**. **RSDC** promotes economic development and job creation in Dallas' most economically depressed zip codes (75210 and 75215 – South Dallas).

Typical of many U.S. inner-cities, South Dallas is characterized by population flight; financial disinvestment; high crime, poor-performing schools, dilapidated housing, and plenteous vacant land and structures considered brownfields.

In addition to traditional urban renewal projects (e.g. construction of affordable housing and job-training), **RSDC** and its partners champion innovative solutions for urban renewal, including rebranding and redeveloping South Dallas as the "breadbasket" for North Texas by embracing urban agriculture, community gardens, aquaponics, and bee-keeping, etc.

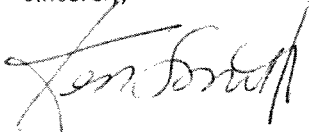
To that end, **RSDC** has partnered with other organizations to establish new, urban agriculture projects and businesses in South Dallas. These partners include "Get Healthy Dallas" that seeks to mitigate food deserts in the target area; *Dallas Independent School District*, which created a Culinary Academy at Lincoln High School in South Dallas that has a community garden in the works; *Bethlehem Foundation*, that has an operational community garden; and *HIS Bridge-Builders* who helped formally incarcerated men form their own bee-harvesting company called "Bonton Honey". **RSDC** is also a founding member of the "Fresh Food Alliance"; and was instrumental in securing a "Market Garden" amendment to the City's Community Gardening ordinance that allows for commercial aquaponics in South Dallas.

RSDC fully supports the City of Dallas' efforts to seek EPA Brownfield grants to promote urban agriculture projects and businesses throughout the city; but particularly in South Dallas. The "Fresh Food Alliance", "The Gleaning Network", and local organic/aquaponic farmers like Dave Pennington, Charles Plumber, and Adam Cohen, frequently use **RSDC** offices for meetings and planning sessions. **RSDC** also advises organizations about how to secure appropriate City services for their respective enterprises.

RSDC believes that securing EPA Brownfield grants to acquire and/or mediate brownfields and turn them into economically viable, tax-revenue generating, job-producing entities is the financial shot-in-the-arm needed to take these innovative enterprises to the next level, and provide a measureable return on investment for citizens most in need.

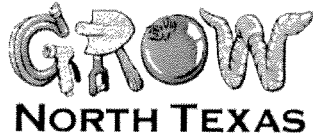
Please support the City of Dallas' efforts to secure much-needed Brownfield funding for the benefit of our community.

Sincerely,



President, Revitalize South Dallas Coalition, a program of Dallas Leadership Foundation

P.O. Box 153247, Dallas, Texas 75315-3247; or 3101 Greenwood, Dallas, Texas 75204
214-770-3068; 214-428-4966; info@rsdc.us; www.rsdc.us



*Cultivating Healthy
Food Communities*

January 20, 2014

Kevin Lefebvre, M.S., REM, CSEM
Senior Environmental Coordinator, EMS and Sustainability
City of Dallas • Office of Environmental Quality
1500 Marilla Street, 7AN
Dallas, Texas 75201

This letter is to state GROW North Texas' support for the City of Dallas' application for the EPA Brownfields grant program that will assist with turning brownfields into gardens. GROW North Texas knows that this kind of financial support for redevelopment of brownfields will spur the growth of creative gardening and food production projects that our city needs to increase access to fresh fruits and vegetables in areas that struggle to have adequate access.

GROW North Texas is a nonprofit 501(c)(3) organization that connects North Texans to food, farms, and community in order to create a sustainable, secure regional food system that enriches the land, encourages economic opportunity through food and agriculture, and provides equitable access to healthy, nutritious food for all residents. We provide cooking and nutrition education, support for community and school gardens, and work to increase agriculture, both urban and rural in North Texas.

For this grant project, we commit to providing support for organizations that are working on community garden projects. GROW North Texas believes that community gardens can be the first transformational step for building critical mass for change in communities. Anecdotal information shows that neighborhoods with community gardens will see a reduction in crime when that garden is active and in place. GROW North Texas commits to helping organizations and community groups by offering facilitation through the process that is needed to create sustainable community gardens. We also commit to providing support for new gardens by offering educational opportunities on growing food using organic methods.

GROW North Texas feels that the time is right for Dallas to embark on this kind of project. The interest in the community is high and the additional resources needed for success are all waiting for the opportunity to make it happen.

Sincerely,

A handwritten signature in cursive script that reads "Susie Marshall".

Susie Marshall
Executive Director, GROW North Texas



Groundwork Dallas

1/21/2014

To whom it may concern,

Groundwork Dallas is pleased to support the efforts of the Office of Environmental Quality to remediate brownfields into usable public green spaces along the Trinity River corridor in Dallas.

At Groundwork Dallas our mission is to help restore and revitalize the Trinity River and the Great Trinity Forest – with emphasis on the Elm Fork of the river – along with its surrounding communities through various on-the-ground initiatives. These efforts are educationally based, and stress the importance of hands-on involvement. Moreover, we focus on urban neighborhoods with crumbling parks, abandoned homes, vacant lots, and polluted water ways, further blighted by crime, health, and employment issues. To meet these goals Groundwork Dallas currently operates with funding from the EPA and NPS, as well as with local funding from the SEAY Foundation, the McDermott Foundation, and the Boone Family Foundation.

The OEQ's program perfectly aligns with this mission as well as linking into the entire Groundwork Trust's commitment to redevelop brownfields in order to build strong community ties and revitalize derelict public lands. Moreover, these efforts will engage local citizens and students and provide active and service learning opportunities while cleaning up the Trinity corridor and supplying healthy food options for Dallas citizens.

Sincerely,

Peter Payton
Executive Director

1720 Regal Row
Suite 215
Dallas, TX 75235

PHONE (214) 422-3219
E-MAIL info@groundworkdallas.org
www.groundworkdallas.org



*P.O. Box 48
Elgin, TX 78621
512-656-2456*

Sustainable • Organic • Local

January 21, 2014

Kevin Lefebvre, M.S., REM, CSEM
Senior Environmental Coordinator, EMS and Sustainability
City of Dallas • Office of Environmental Quality
1500 Marilla Street, 7AN
Dallas, Texas 75201

To Whom It Concerns:

On behalf of the Texas Organic Farmers & Gardeners' Association (TOFGA), this letter is to state TOFGA's support for the City of Dallas' application for the EPA Brownfields grant program that will assist with turning brownfields into gardens. TOFGA agrees that this kind of monetary support for redevelopment of brownfields can be the impetus for creation of creative gardening and food production projects that are needed to better the access to fresh food often needed in areas of low access.

TOFGA supports the people who produce and provide organic and sustainable food in Texas and provides education and marketing support to the organic and sustainable producers of Texas. The organization hosts an annual statewide conference attended by over 300 producers and each of the organization's 9 regions host educational and awareness events such as farm field days for those in their respective areas. The DFW area (TOFGA Region 4) is a very active region for our organization. We provide workshops and other events for growers and gardeners.

TOFGA commits support to this project through offering expertise on food production on a garden scale and any other consultation and resource sharing that would be beneficial. TOFGA knows that when people are able to better provide for themselves, they are better citizens. This is the kind of project that helps strengthen communities. Texas Organic Farmers & Gardeners Association (TOFGA) fully supports this grant project.

Sincerely,

Trish Percy,
Director, Region 4
Texas Organic Farmers and Gardeners Association



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Office of Sustainable Housing and Communities
WASHINGTON, DC 20410-0050

October 20, 2010

SENT BY EMAIL TO: heather.lepeska@dallascityhall.com

Ms. Heather Lepaske
Senior Coordinator
City Of Dallas
1500 Marilla 4EN
Dallas, TX 75201-6318

Dear Community Challenge Planning Grant Program Applicant:

The Department of Housing and Urban Development's (HUD) Office of Sustainable Housing and Communities (OSHC) is pleased to announce that your application submitted in response to the 2010 Notice of Funding Availability (NOFA) entitled "*Notice of Funding Availability for the Department of Housing and Urban Development's Community Challenge Planning Grants and the Department of Transportation's TIGER II Planning Grants*," has been selected for a grant award. The amount you are eligible to receive is \$2,225,000.

This new grant program was quite competitive. A multidisciplinary review team, drawn from four federal agencies reviewed 583 eligible grants. Ultimately, HUD is funding 42 state and local governments in innovative planning efforts in 33 different states, with 14 of those grants funded in partnership with DOT.

Enclosed with this letter you will find the following:

1. Letter from your Grant Officer with a list of items that will need to be provided to negotiate and finalize the terms, including the effective start date of this grant agreement;
2. HUD's Line of Credit Control System (LOCCS) payment system forms;
3. Instructions to use HUD's Line of Credit Control System; and
4. Direct Deposit Form (SF-1199a).

Please read these items carefully and be prepared to provide them within 7 business days of this letter. If you have any questions, please contact Zuleika Morales-Romero, Director, OSHC Grants and Budget Division at 202-402-7683 or email at zuleika.k.morales@hud.gov.

We congratulate you on your submission of a successful proposal and we look forward to assisting you in implementing your program. Welcome to the Community Challenge Planning Grant Program!

Sincerely,

A handwritten signature in cursive script, reading "Shelley Poticha". The signature is written in black ink and is positioned above the printed name and title.

Shelley R. Poticha
Director
Office of Sustainable Housing and Communities

14. Areas Affected by Project (Cities, Counties, State, etc.)

Dallas, Dallas County, Texas

Appendix 3 Other Factors Checklist

Name of Applicant: City of Dallas

Please identify (with an **X**) which, if any of the below items apply to your community or your project as described in your proposal. To be considered for an Other Factor, you must include the page number where each applicable factor is discussed in your proposal. EPA will verify these disclosures prior to selection and may consider this information during the selection process. If this information is not clearly discussed in your narrative proposal or in any other attachments, it will not be considered during the selection process.

	Other Factor	Page #
	Community population is 10,000 or less	
	Federally recognized Indian tribe	
	United States territory	
	Applicant will assist a Tribe or territory	
	Targeted brownfield sites are impacted by mine-scarred land	
	Targeted brownfield sites are contaminated with controlled substances	
	Recent natural disaster(s) (2006 or later) occurred within community, causing significant community economic and environmental distress	
	Project is primarily focusing on Phase II assessments.	
	Applicant demonstrates firm leveraging commitments for facilitating brownfield project completion by identifying amounts and contributors of funding in the proposal and have included documentation	
	Community experienced manufacturing plant closure(s) (2008 or later) tied to the targeted brownfield sites or project area, including communities experiencing auto plant closures due to bankruptcy or economic disruptions.	
	Recent (2008 or later) significant economic disruption (unrelated to a natural disaster or manufacturing/auto plant closure) has occurred within community, resulting in a significant percentage loss of community jobs and tax base.	
X	Applicant is a recipient or a core partner of a HUD-DOT-EPA Partnership for Sustainable Communities (PSC) grant that is directly tied to the project area, and can demonstrate that funding from a PSC grant has or will benefit the project area. To be considered, applicant must attach documentation which demonstrates this connection to a HUD-DOT-EPA PSC grant.	15
	Applicant is a recipient of an EPA Brownfields Area-Wide Planning grant	
	Community is implementing green remediation plans.	
	Climate Change (also add to "V.D Other Factors")	

Application for Federal Assistance SF-424

* 1. Type of Submission:

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

* 2. Type of Application:

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received:

01/22/2014

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

6005

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name:

City of Dallas

* b. Employer/Taxpayer Identification Number (EIN/TIN):

* c. Organizational DUNS:

1966164780000

d. Address:

* Street1:

1500 Marilla Street

Street2:

4EN

* City:

Dallas

County/Parish:

Dallas

* State:

TX: Texas

Province:

* Country:

USA: UNITED STATES

* Zip / Postal Code:

75201-6318

e. Organizational Unit:

Department Name:

Environmental Quality

Division Name:

EMS and Sustainability

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

Ms.

* First Name:

Rosa

Middle Name:

* Last Name:

Fleming

Suffix:

Title:

Fund Development Manager III

Organizational Affiliation:

Intergovernmental Services

* Telephone Number:

214-671-9599

Fax Number:

214-670-5798

* Email:

rosa.fleming@dallascityhall.com

Application for Federal Assistance SF-424

* 9. Type of Applicant 1: Select Applicant Type:

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

* 10. Name of Federal Agency:

Environmental Protection Agency

11. Catalog of Federal Domestic Assistance Number:

66.818

CFDA Title:

Brownfields Assessment and Cleanup Cooperative Agreements

* 12. Funding Opportunity Number:

EPA-OSWER-OBLR-13-06

* Title:

FY14 Guidelines for Brownfields Revolving Loan Fund Grants

13. Competition Identification Number:

NONE

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

14 Areas Affected.pdf

Add Attachment

Delete Attachment

View Attachment

* 15. Descriptive Title of Applicant's Project:

City of Dallas - Office of Environmental Quality - Brownfields RLF Program

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424**16. Congressional Districts Of:**

* a. Applicant

30

* b. Program/Project

30

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date:

10/01/2014

* b. End Date:

09/30/2019

18. Estimated Funding (\$):

* a. Federal

1,000,000.00

* b. Applicant

200,000.00

* c. State

0.00

* d. Local

0.00

* e. Other

0.00

* f. Program Income

0.00

* g. TOTAL

1,200,000.00

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**☐ a. This application was made available to the State under the Executive Order 12372 Process for review on☒ b. Program is subject to E.O. 12372 but has not been selected by the State for review.☐ c. Program is not covered by E.O. 12372.*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix:

Mr.

* First Name:

A.C.

Middle Name:

* Last Name:

Gonzalez

Suffix:

* Title:

Interim City Manager

* Telephone Number:

214-670-3297

Fax Number:

214-670-5897

* Email:

ac.gonzalez@dallascityhall.com

* Signature of Authorized Representative:

A.C. Gonzalez

* Date Signed:

01/22/2014

BUDGET INFORMATION - Non-Construction Programs

OMB Number: 4040-0006
Expiration Date: 06/30/2014

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. FY14 EPA Brownfields Revolving Loan Fund Grant Program	66.818	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text" value="1,000,000.00"/>	\$ <input type="text" value="200,000.00"/>	\$ <input type="text" value="1,200,000.00"/>
2. <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
3. <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
4. <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
5. Totals		\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text" value="1,000,000.00"/>	\$ <input type="text" value="200,000.00"/>	\$ <input type="text" value="1,200,000.00"/>

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1) <div style="border: 1px solid black; padding: 2px; font-size: 0.8em;">FY14 EPA Brownfields Revolving Loan Fund Grant Program</div>	(2)	(3)	(4)	
a. Personnel	\$ <div style="border: 1px solid black; width: 100px; text-align: right;">91,000.00</div>	\$ <div style="border: 1px solid black; width: 100px;"></div>	\$ <div style="border: 1px solid black; width: 100px;"></div>	\$ <div style="border: 1px solid black; width: 100px;"></div>	\$ <div style="border: 1px solid black; width: 100px; text-align: right;">91,000.00</div>
b. Fringe Benefits	<div style="border: 1px solid black; width: 100px; text-align: right;">15,470.00</div>	<div style="border: 1px solid black; width: 100px;"></div>	<div style="border: 1px solid black; width: 100px;"></div>	<div style="border: 1px solid black; width: 100px;"></div>	<div style="border: 1px solid black; width: 100px; text-align: right;">15,470.00</div>
c. Travel	<div style="border: 1px solid black; width: 100px; text-align: right;">0.00</div>	<div style="border: 1px solid black; width: 100px;"></div>	<div style="border: 1px solid black; width: 100px;"></div>	<div style="border: 1px solid black; width: 100px;"></div>	<div style="border: 1px solid black; width: 100px;"></div>
d. Equipment	<div style="border: 1px solid black; width: 100px; text-align: right;">100,000.00</div>	<div style="border: 1px solid black; width: 100px;"></div>	<div style="border: 1px solid black; width: 100px;"></div>	<div style="border: 1px solid black; width: 100px;"></div>	<div style="border: 1px solid black; width: 100px; text-align: right;">100,000.00</div>
e. Supplies	<div style="border: 1px solid black; width: 100px; text-align: right;">50,000.00</div>	<div style="border: 1px solid black; width: 100px;"></div>	<div style="border: 1px solid black; width: 100px;"></div>	<div style="border: 1px solid black; width: 100px;"></div>	<div style="border: 1px solid black; width: 100px; text-align: right;">50,000.00</div>
f. Contractual	<div style="border: 1px solid black; width: 100px; text-align: right;">743,530.00</div>	<div style="border: 1px solid black; width: 100px;"></div>	<div style="border: 1px solid black; width: 100px;"></div>	<div style="border: 1px solid black; width: 100px;"></div>	<div style="border: 1px solid black; width: 100px; text-align: right;">743,530.00</div>
g. Construction	<div style="border: 1px solid black; width: 100px; text-align: right;">0.00</div>	<div style="border: 1px solid black; width: 100px;"></div>	<div style="border: 1px solid black; width: 100px;"></div>	<div style="border: 1px solid black; width: 100px;"></div>	<div style="border: 1px solid black; width: 100px;"></div>
h. Other	<div style="border: 1px solid black; width: 100px; text-align: right;">0.00</div>	<div style="border: 1px solid black; width: 100px;"></div>	<div style="border: 1px solid black; width: 100px;"></div>	<div style="border: 1px solid black; width: 100px;"></div>	<div style="border: 1px solid black; width: 100px;"></div>
i. Total Direct Charges (sum of 6a-6h)	<div style="border: 1px solid black; width: 100px; text-align: right;">1,000,000.00</div>	<div style="border: 1px solid black; width: 100px;"></div>	<div style="border: 1px solid black; width: 100px;"></div>	<div style="border: 1px solid black; width: 100px;"></div>	\$ <div style="border: 1px solid black; width: 100px; text-align: right;">1,000,000.00</div>
j. Indirect Charges	<div style="border: 1px solid black; width: 100px; text-align: right;">0.00</div>	<div style="border: 1px solid black; width: 100px;"></div>	<div style="border: 1px solid black; width: 100px;"></div>	<div style="border: 1px solid black; width: 100px;"></div>	\$ <div style="border: 1px solid black; width: 100px;"></div>
k. TOTALS (sum of 6i and 6j)	\$ <div style="border: 1px solid black; width: 100px; text-align: right;">1,000,000.00</div>	\$ <div style="border: 1px solid black; width: 100px;"></div>	\$ <div style="border: 1px solid black; width: 100px;"></div>	\$ <div style="border: 1px solid black; width: 100px;"></div>	\$ <div style="border: 1px solid black; width: 100px; text-align: right;">1,000,000.00</div>
7. Program Income	\$ <div style="border: 1px solid black; width: 100px; text-align: right;">0.00</div>	\$ <div style="border: 1px solid black; width: 100px;"></div>	\$ <div style="border: 1px solid black; width: 100px;"></div>	\$ <div style="border: 1px solid black; width: 100px;"></div>	\$ <div style="border: 1px solid black; width: 100px;"></div>

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SECTION C - NON-FEDERAL RESOURCES					
(a) Grant Program		(b) Applicant	(c) State	(d) Other Sources	(e)TOTALS
8.	City of Dallas - Office of Environmental Quality - Cost Share	\$ 200,000.00	\$	\$	\$ 200,000.00
9.					
10.					
11.					
12. TOTAL (sum of lines 8-11)		\$ 200,000.00	\$	\$	\$ 200,000.00

SECTION D - FORECASTED CASH NEEDS					
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$ 550,000.00	\$ 137,500.00	\$ 137,500.00	\$ 137,500.00	\$ 137,500.00
14. Non-Federal	\$ 40,000.00	10,000.00	10,000.00	10,000.00	10,000.00
15. TOTAL (sum of lines 13 and 14)	\$ 590,000.00	\$ 147,500.00	\$ 147,500.00	\$ 147,500.00	\$ 147,500.00

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT					
(a) Grant Program		FUTURE FUNDING PERIODS (YEARS)			
		(b)First	(c) Second	(d) Third	(e) Fourth
16.	FY14 EPA Brownfields Revolving Loan Fund Grant Program	\$ 550,000.00	\$ 150,000.00	\$ 150,000.00	\$ 150,000.00
17.					
18.					
19.					
20. TOTAL (sum of lines 16 - 19)		\$ 550,000.00	\$ 150,000.00	\$ 150,000.00	\$ 150,000.00

SECTION F - OTHER BUDGET INFORMATION	
21. Direct Charges:	22. Indirect Charges: None
23. Remarks:	